

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition –PJP – GADWAL -Mahabubnagar District – Pebbair (Mandal) – Chelimella (Village) - O.P.Nos.64/2002, 65/2002 & 66/2002 - Sanction of decretal charges of **Rs.6,57,172-** - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 842

DATE: 21.11.2008

Read:

From the Spl.CS to Govt & CCLA, AP, Hyd.Lr. No.SRP4/964/2008,
Dt:23.10.08 alongwith the letter of Spl.Collector, SSP, Kurnool.

ORDER:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, SSP, Kurnool has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.Nos.64/2002, 65/2002 & 66/2002 pertaining to Chelimella (V) Pebbair (M) of Mahabubnagar District. The then SDC, LA, PJP, Gadwal had acquired the dry lands in Sy.No.324/2 etc for an extent of Ac.39.5 gts of Chelimella (V) by fixing the market value @Rs.32,000/- & Rs.24,000/- per acre through Award No.33/99, dt:28.05.1999 for earth work excavation under PJP. Aggrieved with the market value awarded by the LAO, the awardees have filed petitions U/s.18 (1) of L.A.Act with a request to refer the matter to the Civil Court for adjudication. The Sr.Civil Judge, Wanaparthy in its orders dt:02.04.2004 had delivered judgments by enhancing the market value from Rs.32,000/- & Rs.24,000/- to Rs.88,000/- & Rs.78,000/- per acre. Aggrieved with the market value enhanced by the Lower Court, the SDC, LA, PJP, Gadwal has filed appeal in the Hon'ble High Court of A.P, Hyd against the orders of the Lower Court. The Hon'ble H.C of A.P, Hyd has granted interim stay orders on condition to pay 50% of decretal amount. Accordingly, the Spl.Collector have sanctioned an amount of Rs.5,45,249/- and the same has been deposited in the Sr.Civil judge Court, Wanaparthy. Finally, the Hon'ble High Court has disposed appeals filed by SDC, LA, PJP, Gadwal by confirming the Judgments of Lower Court. In this case, the matter was taken up to Supreme Court of India, New Delhi and received negative result.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.6,57,172/- (Rupees Six lakhs fifty seven thousand one hundred and seventy two only)** in respect of O.P.Nos.64/2002, 65/2002 & 66/2002 pertaining to Chelimella (V) Pebbair (M) of Mahabubnagar District subject to verification whether the reference under section 18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief

P.T.O

Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

3) The amount in para (11) above, shall be debitable to the following Head of Account under "4701- SMJH – 01 – Major Irrigation – M.H.122– Jurala Project G.H.11- NSP-SH (27) – Canals and Distributaries - 530 Major works -532 – Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.SP.13869/F2(2)/2008-1, dated 10.11.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To
The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.
The Special Collector, LA, Bheema Project, Mahabubnagar District.
The Chief Engineer, NSRSP, Gaganvihar, Hyderabad.
The SDC, LA, PJP, Gadwal, Mahabubnagar.
The Director of Works Accounts, Hyderabad.
Copy to: P.S. to Minister (M& MI).
Finance (W&P) Department/File C.No.29945/LA-III(A2)/2008.
SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER